IN THE PROBATE COURT OF SUMMIT COUNTY, OHIO

In the Matter of the Estate of) Case No. _____
)
Alexander Wasil,) (Release of Administration – Closed 07/22/2021)
)
Deceased.) JUDGE ELINORE MARSH STORMER
_____)

MEMORANDUM IN SUPPORT OF MOTION TO DECLARE JUDGMENT VOID AB INITIO FOR FRAUD UPON THE COURT AND DEFICIT OF DUE PROCESS

Now comes James Alexander Wasil, biological son and mandatory legal heir of the decedent, Alexander Wasil, and respectfully submits this Memorandum in Support of his Motion to Vacate the Judgment Entry of July 22, 2021. Movant moves this Court to declare said judgment VOID AB INITIO (void from the beginning) on the grounds that the applicant committed a fraud upon this Court by intentionally misclassifying and falsifying Movant's identity, thereby depriving him of constitutional due process.

I. LAW AND ARGUMENT: THE NATURE OF A VOID JUDGMENT

It is a fundamental principle of Ohio law that a judgment rendered by a court without jurisdiction over the parties, or without proper notice as required by due process, is void ab initio. State ex rel. Ballard v. O'Donnell, 50 Ohio St.3d 182, 553 N.E.2d 650 (1990). A void judgment is a nullity; it has no legal force or effect, and it can be attacked at any time, either directly or collaterally. The standard one-year time limitation found within Ohio Civ.R. 60(B) does not apply to a motion to vacate a void judgment.

Furthermore, under R.C. 2109.35, an order settling an account may be vacated for fraud or misrepresentation. When an applicant intentionally conceals the identity or true whereabouts of a mandatory heir, it constitutes a "fraud upon the court," completely vitiating the integrity of the administration.

II. EVIDENCE OF THE "JAMES ROBERT WASIL" AND "JAMES OF ARIZONA" FALLACY

Movant's legal and biological name is James Alexander Wasil, residing permanently at PMB 1012, P.O. Box 10001, Saipan, MP 96950. At the time the estate was opened in July 2021, Movant was recovering from a life-threatening, incapacitating medical event that left him physically unable to speak or actively monitor public notices.

The applicants, Wendy Wasil and Charles Wasil, had full knowledge of Movant's true identity and status as a legal heir. However, the record and underlying fabrications indicate that Movant was intentionally excluded, obscured, and misclassified in the following manners:

1. Criminal Misclassification/Identity Conflation: In inquiries with this Court, it has become apparent that Movant's identity was conflated with, or substituted by, a felon named "James 'Robert' Wasil." This structural misclassification effectively stripped Movant of his standing as a clean-record heir and ensured that notices sent to any addresses associated with that individual would never reach Movant.

2. The Obituary Fallacy: To solidify this fraudulent exclusion, the public record—including the published obituary notice for Alexander Wasil on Legacy.com—deliberately fabricated an alias, listing the decedent’s son as "James of Arizona."

By providing the Court with false names, fabricated geographical locations ("Arizona"), and conflated criminal identities ("James Robert"), the applicants ensured that the Court’s automated administrative notices would never arrive at Movant’s true location in Saipan. This was a premeditated effort to exploit Movant's temporary medical silence and execute a summary release without his knowledge or consent.

III. CONCLUSION AND RELIEF SOUGHT

Because the applicants utilized a fraudulent identity configuration to bypass the mandatory notice requirements of the Ohio Revised Code, this Court never acquired personal jurisdiction over James Alexander Wasil. The resulting Summary Release from Administration is unconstitutional, illegal, and void ab initio.

Movant respectfully requests this Court to declare the July 22, 2021 judgment completely void, reopen the estate, and order a full evidentiary hearing into the identity fabrications and subsequent real estate transfers executed by the applicants.

Verification

I, James Alexander Wasil, certify under penalty of perjury under the laws of the State of Ohio that the foregoing statements are true and accurate to the best of my knowledge and belief.

Executed on this 6th day of June, 2026.

_____

/s/ James Alexander Wasil
PMB 1012 • P.O. Box 10001
Saipan, MP 96950
Email: james.wasil@gmail.com